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9 *Counsel for JPMorgan Chase Bank N.A.*

10 **UNITED STATES DISTRICT COURT**

11 **DISTRICT OF NEVADA**

12 JOSEF GUTTMANN,

Case No.:

13 Plaintiff,

14 vs.

15 **NOTICE OF REMOVAL PURSUANT**
16 **TO 28 USC § 1441(a) & (c)**

JPMORGAN CHASE BANK N.A., a
National Association.

17 Defendant.

18 Pursuant to the provisions of 28 U.S.C. § 1441(a) & (c) and 28 U.S.C. § 1446, Defendant,
19 by and through its counsel, the law firm of GREENBERG TRAURIG, LLP, files this Notice of
20 Removal from the Justice Court, Las Vegas Township, Clark County, Nevada, to the United States
21 District Court for the District of Nevada. In support of removal, Defendant states as follows:

22 1. The above-entitled action was commenced in the Justice Court, Las Vegas
Township, Clark County, Nevada, Case No. 20A003560, and is now pending in that Court ("State
Court Action").

23 2. Plaintiff commenced the State Court Action by filing a Small Claims Complaint
("Complaint") on December 25, 2020. (A copy of the Complaint is attached hereto as **Exhibit A**).

24 3. The Complaint was served on Defendant on January 19, 2021. (*See Exhibit A*).

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1 4. No further proceedings have been filed in the State Court Action.
2 5. On its face, the Complaint alleges, *inter alia*, that Defendant violated the Fair Credit
3 Reporting Act under 15 U.S.C. § 1681 *et seq.*

4 6. This action is a civil action over which this Court has original jurisdiction under 28
5 U.S.C. § 1331, and is one which may be removed to this Court by the Defendant pursuant to 28
6 U.S.C. § 1441(a) and (c) in that it asserts alleged violations of 15 U.S.C. § 1681 *et seq.* and therefore
7 presents federal questions.

8 7. This Court is the proper venue for the removal of this action because it is the district
9 court of the United States for the district and division embracing the place where the action is
10 pending. *See* 28 U.S.C. § 1441(a).

11 8. Thirty days have not elapsed since the Defendant was served with the Complaint.

12 9. Pursuant to Section 28 U.S.C. § 1441, the Defendant is entitled to remove this action
13 to this Court.

14 10. A true and correct copy of this Notice of Removal is being served on all named
15 parties to this suit that have lodged an appearance in the State Court Action and filed this date with
16 the Clerk of the Justice Court Las Vegas Township, Clark County, Nevada.

17 11. If any question arises as to the propriety of this removal, Defendant requests the
18 opportunity to brief any disputed issues and to present oral argument in support of its position that
19 this case is properly removable.

20 12. Nothing in this Notice of Removal shall be interpreted as a waiver or relinquishment
21 of the Defendant's right to assert any defense or affirmative matter, including, but not limited to,
22 the defenses of lack of jurisdiction over the person, improper venue, insufficiency of process,
23 insufficiency of service of process, failure to state a claim, fraudulent joinder or any other
24 procedural or substantive defense available to the Defendants.

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Based on the foregoing, the Defendant hereby removes the State Court Action to this Court.

DATED this 8th day of February, 2021.

GREENBERG TRAURIG, LLP

/s/ Jacob D. Bundick
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1 **CERTIFICATE OF SERVICE**

2 Pursuant to Fed. R. Civ. P. 5(b), I hereby certify that on the 8th day of February, 2021, a
3 true and correct copy of the foregoing ***NOTICE OF REMOVAL PURSUANT TO 28 USC §***
4 ***1441(a) & (c)*** was filed electronically via the Court's CM/ECF system and serving by email and
5 U.S. regular mail, postage pre-paid, on the parties listed below. Notice of filing will be served on
6 all parties registered to this case by operation of the Court's CM/ECF system, and parties may
7 access this filing through the Court's CM/ECF system.

8 Josef Guttmann
9 721 Campbell Drive
10 Las Vegas, Nevada 89107
11 yosigut@gmail.com
12 Plaintiff in Proper Person

13 */s/ Andrea Flintz*

14 An employee of Greenberg Traurig, LLP

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